

EDUCATIONAL LAWS OF VIRGINIA.

THE
PERSONAL NARRATIVE

OF

Mrs. Margaret Douglass,

A SOUTHERN WOMAN,

WHO WAS IMPRISONED FOR ONE MONTH

IN THE

COMMON JAIL OF NORFOLK,

UNDER THE LAWS OF VIRGINIA,

FOR THE CRIME OF

TEACHING FREE COLORED CHILDREN TO READ.

"Search the Scriptures!"

"How can one read unless he be taught?"

HOLY BIBLE.

BOSTON:

PUBLISHED BY JOHN P. JEWETT & CO.

CLEVELAND, OHIO:

JEWETT, PROCTOR & WORTHINGTON.

1854.

Digitized by the Internet Archive
in 2011 with funding from
Associates of the Boston Public Library / The Boston Foundation



DAVID WHITEHEAD - ENGRAVED BY L. BARTON

Margaret Douglass

EDUCATIONAL LAWS OF VIRGINIA.

THE PERSONAL NARRATIVE

OF

Mrs. Margaret Douglass,

A SOUTHERN WOMAN,

WHO WAS IMPRISONED FOR ONE MONTH

IN THE

COMMON JAIL OF NORFOLK,

UNDER THE LAWS OF VIRGINIA,

FOR THE CRIME OF

TEACHING FREE COLORED CHILDREN TO READ.

"Search the Scriptures!"

"How can one read unless he be taught?"

HOLY BIBLE.

BOSTON:
PUBLISHED BY JOHN P. JEWETT & CO.
CLEVELAND, OHIO:
JEWETT, PROCTOR & WORTHINGTON.

1854.

res. 5574.50 no. 3

Entered according to Act of Congress, in the year 1854, by

MARGARET DOUGLASS,

in the Clerk's Office of the District Court of the United States for the Eastern
District of Pennsylvania.

NARRATIVE &c.

I am perfectly aware that the public cannot be interested in my personal history previous to the occurrences which this narrative is designed to lay before them, nor am I vain enough to suppose that there would be any thing in it worth relating. It will, however, be seen necessary that I should state who and what I was, and under what circumstances I found myself suddenly placed, by the authorities of the city of Norfolk, in a position of such unenviable notoriety. This position was not one of my own seeking, nor was I the agent or representative of any association. I was not a "Northern emissary," engaged in undermining the institutions of the South, and recklessly defying her laws, but only a weak and helpless woman, endeavoring to do what I deemed my duty to God and to humanity. In order to relate the circumstances as they occurred, so that they may be fully understood, my narrative must necessarily assume a personal character, for it was I, and I alone, who was contending for a heaven-born principle against not only the authorities of Norfolk, but against the united strength of the whole State of Virginia. The entire population of the commonwealth

that claims to be the first and noblest in the land were the plaintiffs in this case. I, alone, the defendant. My story therefore must not be called egotistical.

It is necessary also that I refer to myself, in order to do away with any impression that I was or am an *Abolitionist*, as that term is usually understood at the South, for I am aware that a strong effort will be made to induce this belief on the part of the community, in order to weaken the effect which I hope my book is destined to produce. I deem it proper, then, to state at the outset that such is not the case, and that I was not contending against any of the Southern institutions, but only against a particular law of the State of Virginia, and of, as I believe, some of the neighboring States. Against the operations of this law, a large portion of even the inhabitants of Virginia are beginning to rebel, as contrary, not only to good morals, but to the spirit of our country's institutions. This law, although connected with slavery as a Southern institution, has not necessarily anything to do with the abstract question of slavery itself. It is one that might exist in a free State, though, happily it does not. It is a law whose influence is felt, not only among the slave population of Virginia, but which extends even to the whites themselves. By a recent statement made to the Legislature of Virginia, the number of grown up white men and women in the State is estimated at nine hundred thousand, and of this number there are no less than eighty thousand who can neither read nor write. The law, in concise terms, prohibits the instruction of all colored persons, by means of books or printed papers, but it does not prevent the giving of verbal or oral instruction even to slaves. In some of the Southern States a similar law exists in

reference only to the slave population, but I was not aware until my arrest, that the law of Virginia was more stringent, and included in its operation the free colored people as well as the slaves. Had I known this, and had I not the constant example before me of those whom I supposed were well informed as to this matter, I should not have dared to set myself up in opposition to the laws of a State of which I was a resident.

I repeat, therefore, most emphatically, that I was not an Abolitionist, and that no person or persons had anything to do with the course I pursued, in even the most indirect manner. I am a Southern woman, by birth, education, and principles. I have been a slaveholder myself, and, if circumstances rendered it necessary or practicable, I might be such again. With the abstract question of slavery I have nothing to do in this book. I write it as a Southern woman to the people of the South. I am and always have been one of them, and still possess the same attachment for them and their institutions, that was first instilled into me in my childhood, and which has grown stronger during my whole life among them.

I was born in the city of Washington, but removed at a very early age to Charleston, South Carolina; where I was subsequently married, and resided, until the year 1845, when the painful associations connected with the death of my only son induced me to remove to Norfolk, Virginia, where I led a quiet and unobtrusive life, with my only daughter, until the month of December, 1853. Having been thrown upon my own resources, and possessed of a too independent spirit to be a burden to those who might have assisted me, I supported myself and child by the labor of my hands; my business being that of

vest-making. Being a superior workwoman, I always had an abundance of the best work to do; but it was necessary for me to labor incessantly, in order to maintain myself and daughter respectably. Being blessed with good health, I was enabled to do this. We lived alone, in a retired part of the city, and our circle of acquaintances, from choice, not from necessity, was rather limited. Our habits were industrious, frugal and retiring. We were respected, and led lives that were irreproachable, as was abundantly conceded by even the Judge before whom I was tried. Our only association with society was that into which we were led by the exercise of our feelings of humanity; it being our natural disposition to share the little goods we possessed with those who were in want or affliction of any sort. We now enjoy the happy satisfaction of knowing that we have left behind us, many grateful hearts, in those whose distress we have relieved, or with whose sorrows we have sympathized.

This brief history of myself and my antecedents, seemed necessary, in order to show who and what I was, and to effectually put down the assertions of some of the Southern editors, that I was an Abolitionist in disguise, or, at least, was acting at the instigation of those who are enemies to the South and her institutions. I shall now proceed to relate, as succinctly as possible, the history of my personal contest with the great and dignified State of Virginia, as represented in the persons of a few men in power in the honorable city of Norfolk.

Being perfectly satisfied with my daughter's society, I craved no other, and endeavored to practice the precepts which I wished to instil into her mind, and, and, as she grew older, we went on hand in hand in our little benevolent duties, making allowances

for the faults of others, practicing mercy and charity to all who came in our way, both black and white; and, as I am a strong advocate for the religious instruction of the whole human family, it fell to our lot to become the religious and moral instructors of a few little colored free children.

There is a well known barber living in the city of Norfolk, a genteel and respectable colored man, much respected in that community. Having some business with him, I one day called at his shop, into which he politely invited me. Casting my eyes around, they fell upon two little colored boys, with spelling books in their hands, which they appeared to be very attentively engaged in studying. I inquired if they were his children, and if they went to school. His reply was, that they were his, but that they did not go to school, though he was very anxious to have them learn. I then inquired if there were no day schools for free colored children. He smiled, and said, No, madam; and he believed that there was no one who took interest enough in little colored children to keep a day school for them. I replied, that this was a pity, but that there was certainly a large Sunday school connected with Christ's Church, to which he might send his children. His answer was, that his children did attend that school, but that they did not learn much; as they had no one to assist them in their lessons during the week; that he kept them at their books, whenever they had any spare time, and that they would occasionally pick up a little instruction from those who visited his shop. I inquired if he had any education himself. He said no, but that he indeed felt the want of it, and was very thankful to any one who would take the trouble to instruct his children. I then found that he had five children,

three of whom were little girls, and that that they were all very anxious to learn. Without further consideration or hesitation, I then offered to allow my daughter to teach his little boys, stating that she would do so with great pleasure. I told him to send them every day to my house, and that it need not detain them long from his business. He thanked me very kindly, and said that he would send them, although their time was very valuable to him, as they were obliged to wait upon the gentlemen who visited his shop. His eagerness for the instruction of his children deeply interested me, and, on my return home, I related the circumstance to my daughter, who readily assented to my proposal. Having no further business with this man, I saw no more of him, and had nearly forgotten the occurrence, until he called at my house with his little girls. I received him politely, and spoke kindly to his children, who were neatly dressed, and very respectful, and appeared unusually intelligent. Their father then said, "Mrs. Douglass, I have told my little girls of your kind offer to instruct their brothers, and they are also very anxious to learn, and I wish to know if you would not prefer to have these two eldest, thinking that the boys might give your daughter too much trouble." I replied that it would be no trouble, but a pleasure to us, and that he might send both the boys and girls regularly every day, and that we would do all we could for their religious and moral instruction. I then inquired if they had any books. He replied, only such as had been given them at Christ Church Sunday school. "Very well," said I, "give them those books, and send them to-morrow." I felt certain that there could be nothing wrong in doing during the week what was done on Sunday by the teachers in that school, who

were members of some of the first families in Norfolk, nor in using the very books that were given to the children there taught. I was particular also to ascertain that both himself and family were free, as I knew that the laws of the Southern states did not permit the slaves to be educated, although at the same time, all the churches in Norfolk were actually instructing from books both slave and free colored children, and had done so for years without molestation.

On the day following the two little girls made their appearance alone, their father being unable to spare their brothers from his business. My daughter received her little scholars kindly, and endeavored to make them feel as comfortably as strange children can feel in a strange house. At this time I lived in a neat little house, containing four rooms, situated in a quiet and respectable neighbourhood, with everything genteel and comfortable around us, gathered together by our own industry. In this house I had lived nearly four years. It was alone, and I had engaged it before it was finished, thinking it would form a quiet and retired home for myself and daughter. Whether it proved to be such or not, my readers will see. Nearly the whole block was built up with small tenements, and I soon found that my neighbors were not of the most refined class, and would prove no associates for us. I therefore determined to live very secluded, and be seldom seen or heard. Still, I endeavored to be kind and obliging to all who stood in need of my sympathies, and made it my business, if any of them were sick or in trouble, to administer to their wants by sending nourishment, or, if necessary, by calling to see them in person; still receiving none as

visitors at my house; for they were a class of people with little or no education, and, of course, refinement they knew nothing of. They did not appreciate my character and habits, and could not understand my retired way of living, and at times we were greatly annoyed by them. This I could not at first understand, as I knew I did not merit any unkindness from them, but I endeavored to bear my persecutions with patience, and continued to live in my own solitary way, my daughter attending to our little domestic affairs, and I steadily employed with my needle.

The two little girls continued to come every day, and were well behaved and very obedient. They soon became indeed, a source of pleasure to us. They were very attentive to their studies, and with my daughter's unremitting attention, they made rapid progress. They were with us nearly a month, when my daughter remarked to me, that she would be very sorry to part with them, as they learned very fast, and every day required more of her attention, and she feared that they would interfere with her other duties. Now, up to this time, I had not anticipated receiving any compensation for the tuition of those children, nor had I dreamed of establishing a regular school. What I had done had been merely from the impulses of common humanity, without a thought of reward. I casually asked my daughter which she would prefer, to teach those children, or assist me in sewing; and if she would be willing to take charge of a small class of free colored children. She replied that she was fond of children, and would be glad to teach them if she could establish a class. "Very well," I said, "you shall do so: we will open a school on the first of next month, (which was June, 1852,) for free colored children." I

thereupon sent word to Mr. Robinson, the father of the two little girls, notifying him of our intention, and stating that he might send us all the scholars that he could, and that the price of tuition would be three dollars per quarter. We were at once overrun with applications, and our little school was soon formed and well regulated, the children punctual in their attendance, and under good discipline. My daughter paid strict attention to them, and they made rapid progress in their studies. Our school numbered twenty-five pupils, of both sexes, and continued in prosperous existence about eleven months. We made no secret of the matter, and never intended to do so, nor could we, had we desired to ever so much.

My readers will therefore perceive, that the formation of our little school arose from a circumstance entirely accidental, I having at first offered simply to teach two or three colored children their Sunday school lessons; they being members of Christ's Church Sunday school; and from the very books given to them by the ladies and gentlemen engaged in that school. Finding those children obedient and well behaved, as well as anxious to be taught, I became deeply interested in their welfare, and continued from time to time to receive all who offered themselves as pupils. Living a life so retired, I needed an occupation involving some care, and was glad to be engaged in a duty so benevolent. We attended strictly to their moral and religious instruction, and, when they were sick, we promptly visited them, and administered to their wants, and, I am indeed happy to say, although I was afterwards cruelly cast into prison and otherwise unjustly dealt with, I have the satisfaction of knowing that I suffered in a good and righteous cause. I was totally ignorant of any exist-

ing law prohibiting the instruction of free colored children, but, at the same time, I was careful to have no slaves among our scholars. Every thing passed on quietly for several months, in the ordinary routine of a child's school, with nothing to interest my readers particularly, unless it be one incident which will never be forgotten by us, viz: the death of one of our little scholars, the circumstances of which I will here take the liberty to relate.

She was about fourteen years of age, and, while at school, she was mild, humble and obedient, and studied very hard. Her form was slender and her constitution very delicate. I frequently thought that her close application to her books would injure her health, though she seemed predestined to an early grave. She was at length taken seriously ill, and we visited her as frequently as our engagements would permit. Will my readers go with me into a tottering negro hovel, situated in the very heart of the city of Norfolk? It is a miserable apology for a human habitation, containing but two apartments, one above the other. On one side of the first, or ground floor, is a wretched bed, supported by some boards and broken chairs, and on it lies one of Mrs. Douglass's sable scholars, her young life fast ebbing away under the ravages of a rapid consumption. Her mother, poor woman; is little better off, and her hollow cough tells too truly that her own days are numbered. With a constitution naturally delicate, and almost worn out by constant watching, she is unable to earn anything to add to her little stores, or even to obtain the slightest necessary nourishment for her dying child. Here is a scene of suffering, and no one to administer to the wants of the dying or the living. Common humanity calls

loudly for the exercise of simple charity, but the cry is unheard.

Quietly and alone, my daughter and myself sat up, night after night, with the suffering child, and endeavored to smooth her pathway to the grave. She seemed far more happy and contented when we were beside her, and we therefore gave to her all the time we could possibly spare. On the night that she died we sat with her until a late hour, and, as we were leaving her, she said, in broken accents ;—"I thank you, Mrs. Douglass and Miss Rosa, for all you have done for me : you have taught me to pray and to read my Bible, but I shall never read it again ; you must pray for me before you go." We did so, and left her in a quiet slumber, from which she awoke only, as we trust, in heaven. We took charge of the funeral arrangements, had her poor corpse neatly attired for its last repose, and saw that every thing was done decently and in order. Six of her school mates, selected previously by herself, dressed in white, acted as pall bearers at the funeral, and were followed by the rest of the school, I in a close carriage bringing up the rear of the procession. Yes, I followed to the grave the remains of a poor little negro child, and as this was a stretch of humanity that the good people of Norfolk could neither appreciate nor understand, I suppose I may trace to it the beginning of their future persecutions, which resulted finally in the descent upon my establishment by the officers of the law.

The descent was made on my school on the 9th day of May, 1853, between eight and nine o'clock in the morning, when the children had nearly all assembled. No note of warning had been given of this movement, and it was as unexpected as the sudden upheavings of an earthquake. Our school-room was

situated in the second story back room. My daughter had but a few moments before taken her seat at her humble pine table, and was surrounded by her little sable scholars. Sable, did I say? No, not all; for in many cases the difference could scarcely be perceived between them and white children. Yes, Mrs. Douglass "condescended" to teach free black men's children, and free white men's children—some of the latter being, very probably, among her real persecutors! It was a horrible crime, was it not?

All was going on as peaceably as usual, and I had taken my seat to commence my daily toil, when a loud knock was made at my front door. I answered it myself, when the face of an officer presented itself, who inquired who lived up stairs. I replied that I alone occupied the house. He then asked if Mrs. Douglass lived there. I told him that I was Mrs. Douglass. He said, "You keep a school." "Yes, sir," was my reply. "A school for colored children?" I answered, "yes." "I must see those children," said he. I then demanded what business he had with them, or with anything in my house. He replied, that he had been sent by the Mayor. "Very good, sir," said I, "walk in, and you shall see them;" and, without giving my daughter or the children any notice, I invited him up stairs into the school-room. Never will I forget the frightened state of those children, and the countenance of their young teacher. My daughter sat paralyzed, covering her face with her hands; and it was some time before I could restore order in the room. Some were crying, some exclaiming "Oh my! oh my!" and some clinging around me in their terror; but, during the excitement, I never lost my presence of mind. As

soon as I had restored quiet in the room, I inquired of Mr. Cherry, the City Constable, what he wanted with those children. He replied, that he must take them before the Mayor. "Very well, sir," said I, "my daughter and myself will accompany them." To my astonishment, he went to the head of the stairs and gave a loud rap with his club, when another officer made his appearance, entering from my back door. For the moment I thought that my house was surrounded with officers, who perhaps fancied that they had found a nest of thieves. They then noted down the names of all the children, as well as those of their parents. When they had finished, I politely informed Mr. Cherry that they were all free children, and all, or nearly all, members of the Christ's Church Sunday-school. "It makes no difference, madam," he replied, "it is a violation of the law to teach any person of color to read or write, slave or free, and an act punishable by imprisonment in the penitentiary." "Very well," I replied, "if they send me to the penitentiary, it will be in a good cause, and not a disgraceful one." Even this information, which was the most profound news to me, did not unnerve me at all: for I remembered that our Saviour was persecuted for doing good, and why should not I be. This thought strengthened me to bear my own persecutions for ten long months afterwards.

The officers having left the school room, I politely escorted them down stairs, proffering them seats until I made some alterations in my dress before I accompanied them to the Mayor's office. I immediately returned to the school room, and found the children in a dreadful state of excitement. I must here inform my readers that all persons of color in the Southern,

or Slave States, have a dreadful horror of constables, for it is these officers to whom is entrusted the execution of their punishment for all offences. After I had again brought the children to order, I was ready to accompany the officers. I arranged the children in couples and gave them up to the officers, and we all started for the Mayor's office, my daughter and myself walking at a little distance in the rear. Will my readers please imagine, for an instant, a crowd of little children, walking two and two, preceded and followed by two stout men, each with a great club in his hands? It reminded me of a flock of little lambs going to the slaughter.

We soon reached the Mayor's Court, and were seated until his honor was ready for an examination. Many spectators were present to witness the wonderful sight of a sudden descent upon a negro school. I had a casual acquaintance with his honor, Mayor Stubbs, as I had been before reported to him for an act of humanity to a helpless and worthy little woman and her two infant children. I had been made acquainted with her sufferings and miserable situation, and, from time to time, for two years, I had bestowed upon her many acts of kindness and sympathy, as cordially as though she had been my own sister. She had a drunken and worthless husband, who, when in a state of inebriation, was very violent and brutal to her, and who would often leave her for weeks at a time, without a cent, and almost in a state of starvation. At those emergencies she would subsist solely on what she received from my bounty. Finally, her young child, about one year old, was taken very ill. She was a kind and affectionate mother, and grieved much for her little boy. I endeavored to obtain assistance for her in the

humane and beneyolent city of Norfolk, but in vain. I alone clung to her to the last. She resided at some distance from my house. Her child lay for some weeks in a very critical condition, and I could not do as much for her as I desired to do. At this time her husband was away on one of his drunken carousals in the city, and not even the sufferings of his dying child could soften his brutal heart. I finally concluded to take her and her children into my own house, and made the proposition to her, which she received with much gratitude, and readily assented to. By my advice she soon had her little chattels gathered together and sent them to an auctioneer. The room was soon emptied, and, with her two sick children, she hastened to my house, where, with our united attentions, we succeeded in raising the little sufferer to health. The facts in this case having been reported to Mayor Stubbs, he called in person to see me, and proved himself to be a good man, as he afterwards was a merciful judge. I relate this little circumstance merely to show my first acquaintance with this gentleman.

It was about a year after this occurrence when I entered his court-room with my little school, in obedience to his somewhat pressing invitation, and attended by his two officers as a guard of honor.

I felt certain that he was a man who desired peace in his community, as well as one disposed to temper justice with mercy to all. In about fifteen minutes we were called before him, and the children arranged on one side of the room. He greeted me very cordially with a "Good morning, Mrs. Douglass." I politely returned his salutation, when he remarked that I had quite a large family. I said yes, and that they were

all very good children. "But, are you aware," he inquired, "that it is a violation of the law of this State to instruct colored children to read?" I replied, that I had not been aware of the existing law until that morning; that these were all free children, and that every one before him was a member of the Christ's Church Sunday-school; that this school was held at the lecture-room on Freemason street, where primers and other books were given to them to learn to read; and that, if I had violated the law, they had been doing so for years. The Mayor replied that such facts had never been reported to him, or he should have been obliged to do his duty in the matter. A gentleman, who was present, voluntarily asserted that there was a large Sunday-school kept there for colored children, and that he thought a violation of the law was such as much in one place as another. His Honor then took up the statutes of Virginia, and read the law on the subject, which announced the maximum penalty attached to its violation to be a fine of one hundred dollars and imprisonment for six months. He also remarked that he was very sorry the matter had occurred, but that he must do his duty in the premises. I replied, that I expected him to do his duty; but that with a clear conscience I could bear imprisonment, or anything else. I asked him if anything would be done with the children. He said, "Nothing," and gave immediate orders for their dismissal, when they fled like so many little birds let loose from a cage. I could not refrain from tears as I looked after them as they left the room, and hastened from what was to them a place of exceeding terror. I was rejoiced that no harm would fall upon them, and felt that I could bear anything rather than that they should suffer in any way.

I then inquired if anything would be done with their parents, and was answered, "Nothing." I then asked his Honor if he could allow the whole responsibility of the matter to rest upon myself; that my daughter was not yet of age, and that I was alone responsible for any act of hers, as well as my own. He inquired if I had any friends who would become security for my appearance before the Supreme Court. "Friends!" I replied "I am my own best friend, and my daughter's only one." I told him to do his duty, and put me in prison at once, if he chose, for I would ask no favors at the hands of any man. On receiving this reply, he reflected for a moment and then said, "I think that I am allowed some discretion in this matter. You say, Mrs. Douglass, that you were not aware of the existing law?" I replied that I was not, and that I was not disposed to violate the laws of any people or place where I might reside. He then, being perfectly satisfied with my good intentions, frank acknowledgment, and ignorance of the law, dismissed the matter; for which I tendered him my thanks, and left the court room.

Imagine my surprise, when I reached the steps of the courthouse, to find a crowd of colored men, women, and children, the parents and relatives of friends of our little scholars, waiting to learn the decision of the Mayor. They greeted myself and daughter with many blessings, and said that if we had anything to pay they had the money ready for us. I replied that such was not the case, and that there had been no harm done; and after warmly thanking them for their kindness and sympathy, we looked around for our little scholars, gathered as many of them as we could together, and took them back to the school-room, where we gave each of them their books and slates, and,

with wounded hearts, took leave of them, one by one. It was a sad parting, and we grieved to think that they must henceforth grow up in darkness and ignorance. For several days it was as much as we could do to receive the visits of the parents and friends of those children, many of whom we had never seen before. They lamented over the breaking up of our little school, and many shed tears freely. They showered their blessings upon us, and prayed for our welfare, and were evidently truly grateful for all we had done for their children.

It is generally thought in the Southern States that the negroes are ungrateful, but I, for one, have never found them so. From the day that I first interested myself in these unfortunate people, to the day I left the city of Norfolk, they literally showered upon us their grateful blessings. In my opinion, those who call the Southern negroes ungrateful, are only those who never do anything to call forth that emotion. I believe the oppressed to be more susceptible of gratitude than any other class. I have ever found them so. May I ask what gratitude do they owe to those who will degrade them? What gratitude does that child owe to his own father, who coldly sells him as his slave? Let us first practice justice and mercy ourselves, and then ask for the gratitude of our slaves.

My scholars having been dismissed, and the school given up, in obedience to the requirements of the law, I felt perfectly satisfied that the matter had there ended. I had promised my daughter, some months before, a visit to New York, during the intended vacation of our school, but the authorities did not allow us the pleasure of thus indulging our scholars, having

given them an earlier and much longer vacation than we ever dreamed of.

My daughter left Norfolk on the 29th day of June, for the city of New York, intending to return about the first of September. In her absence I was left entirely alone, without even a servant, and so remained for about six months, seldom going out, and receiving but few visitors, aside from my little scholars who would occasionally come to see me, and bring some little token of their continued affection. They all knew that I was very fond of flowers, and it was seldom that my table did not contain bouquets from their hands. Indeed, they kept me supplied with flowers during the whole summer. I still continued to visit them whenever they were sick, for I knew that no authorities could prevent this. Both I and my friends supposed that the matter was forever ended, until the 13th day of July, when, to my utter astonishment, I was served with a legal paper, of which the following is a correct copy:—

“THE COMMONWEALTH OF VIRGINIA

To the Sergeant of the City of Norfolk:

You are hereby commanded to summon Margaret Douglass, and Rosa Douglass, to appear before the Judge of our Circuit Court of the City of Norfolk, at the Court House of our said City, on the first day of the next November Term, to answer a presentment of the Grand Jury made against them in the said Court, on the 2d day of June, 1853, for this, that the said Margaret Douglass, and Rosa Douglass, and each of them, did, on the 9th day of May, 1853, at the City of Norfolk, unlawfully

assemble with divers negroes, for the purpose of instructing them to read and to write, and did instruct them to read and to write, contrary to the Act of the General Assembly, in such case made and provided, and against the peace and dignity of the Commonwealth of Virginia.

Witness, John Williams, Clerk of our said Court, at the Court House, this 13th day of July, 1853, in the 78th year of the Commonwealth.

(Signed,) JNO. WILLIAMS, C. C.

A Copy, (Signed,) JNO. WILLIAMS, C. C.

This document needs but little comment. I merely ask, was not the cause a great one that enabled a poor weak woman thus to disturb "the peace and dignity of the Commonwealth of Virginia," and that, too, "in the 78th year" of its existence? Were not the subject too serious, one might venture to laugh at the idea of the fearful perils to which that dignified and aristocratic State was subjected, by the fact that a few little negro boys and girls had learned that famous sentence "In Adam's fall we sinned all." Let the fact be recorded, and go down to posterity among the noble archives of that noble State, that her existence was jeopardized in the year 1853, by the shocking occurrence of some of its inhabitants learning "to read and to write." Shades of Henry Clay, of Thomas Jefferson, of John Randolph, and of all the dead worthies of Virginia, behold a specimen of enlightened progression that is something more than an abstraction!

After receiving this paper, the effect of which I well understood, my mind was heavily taxed as to what course I should pursue in the matter. Owing to my retired way of living and

my constant employment, I had but little time to spare from my daily avocations, but a vast amount of time for reflection. My pecuniary means being limited, and having but little affection for lawyers, I determined to rely upon the justice of my cause, and plead my own case. Therefore, for four months I was engaged in hard study, hard labor, and hard living, my mind being as fully occupied as my hands. I determined to converse with no one, and when the matter would be occasionally brought up by others, I would have as little to say as possible, and few knew the course of action that I intended to pursue. In the first place, I had no quarrel with the people of Virginia, and did not wish to have, and I determined to enter into no conflict with them. I also felt certain that, if I employed counsel, many good men and women of Norfolk, who had done all that I had, would be brought into the same difficulty. Leaving self entirely out of the question, I determined not to do anything to place those engaged in Christ's Church Sunday-school in the same difficulty with myself, for I heartily approved of what they were and had been doing. I also believed that, if I kept quiet, the matter would still amount to nothing. I could not believe that men who boasted of their talents and benevolence could be so blinded by their attachment to their peculiar institution as to farther irritate a matter that would, from beginning to end, prove disgraceful to them and to their State. I therefore took a firm stand, and was determined to maintain the principle for which I was doomed to suffer ; for, as I have said before, I am a strong advocate for the religious and moral instruction of the Southern slaves. I was determined to express my views freely, should my case ever be brought before the court. During the

whole of this prosecution, I did nothing, either by word or action, to irritate the people of Norfolk, and, though I might have replied to the paragraphs against me inserted in their newspapers, I did not do so ; and, though extremely mortifying to my feelings to have my name brought so freely into the public prints, still I was silent, and bore my persecutions with patience.

Although I corresponded regularly with my daughter every week, I did not make known to her the condition of affairs, desiring not to mar her happiness with our northern friends, until the first of September, when I directed her to remain in New York, until I should call her home. Thus my readers will see that my daughter did not "run away" from the authorities of Norfolk, and the assertions to that effect in their papers were utterly false. She left Norfolk before the summons was served, and remained there at my instance, in ignorance of what was going on at home. Norfolk was our adopted home, and we never had the slightest idea of running away from it. No, indeed : we would not so far forget our native dignity, as to have it said that a South Carolinian ran from a Virginian. As it has since been proven, the authorities and people of Norfolk would have been very glad if we had taken this course, in order that they might at once have been relieved from the odium of pursuing the prosecution, and at the same time been enabled to brand us as fugitives from justice. The *Richmond Examiner* has recently said that my prison doors were open at my bidding. It is very true that they were, but for what purpose, and how would my flight have been regarded?

Believing that my lonely situation naturally called loudly for

friends, I thought that in that city of churches, some one, at least among the religious part of the community, would come forward and offer me sympathy and advice without being solicited therefor; but will my readers believe me when I say, that not one solitary individual thus manifested the least interest in the matter? I determined, therefore, to ask nothing at the hands of a Virginian, for I had never done so during the eight years that I had resided among them, and I can truly say that I owe the people of Norfolk nothing: no, not even for the exercise of common humanity.

As the time drew near when I would be called upon by the attorney of the commonwealth to appear for trial, I felt myself thoroughly prepared to meet the worst, and on the first day of the November Term, I voluntarily stood before him in his office, and had a brief conversation with him, in which I informed him, that I was ready to meet the case, and that he would oblige me by bringing it on as soon as possible, as my mind was heavily taxed, and I had little time to lose. He promised to do so, and inquired who was my counsel. I told him that I was my own counsellor, and should employ no other. It was my first interview with this gentleman, and I was much pleased with his manner and conversation. He remarked that he should be placed in a rather disagreeable position, by having to plead against a lady. I replied, that I wished to be friendly with him, and hoped that he would not think me unreasonable: that I expected him to do his duty, and that I should certainly endeavor to do mine. I believe that the matter gave him some uneasiness, when he found that I was determined to plead my own case, and, after explaining a few points to him, he remarked that the matter had

entirely slipped his memory, and that he had not before thought seriously about it. He promised to send for me whenever I was wanted, and soon after did so ; but, another case not being concluded, I was compelled to await still another day. The day of trial came at last, and I proceeded to the Court House, unattended by any one, and, seating myself in the jury room, patiently awaited the summons to appear before the Court. I had provided myself with a neat and becoming dress, in a description of which my lady readers may be interested. It was made of black velvet, fitting closely and neatly to my form, with rich flowing lace sleeves, white kid gloves, and a plain straw bonnet, neatly trimmed with white. I had in my hand the copy of the summons, and a small red pocket Bible, which my daughter used when she visited the sick children. I had written nothing that I expected to say, preferring to depend on my own energies in whatever emergencies I might be placed. Being fully acquainted with the rules of courtesy, and the respect due from a lady to every true gentleman, as well as that required by an honorable Court, I determined not to do the slightest violence to the feelings of any one present, but to proffer all due consideration to the Court and counsellors, and I certainly expected the same in return. In my determination to plead my own case, I did not desire to step out of the natural sphere of my sex, or to force myself into the position of a counsellor, but I was the party most deeply interested ; had given the matter all due reflection, and was best acquainted with its merits ; had gathered together every fragment and woven them into one web, and it pleased me to unravel it myself ; for I was prosecuted for violating a law that I knew nothing about. Certainly no favors had

been shown to me because I was a woman, and therefore I believed that I possessed the right to defend myself in my own way.

As I sat in the jury-room, waiting to be called, that body were receiving their charge from the judge in some petty case tried the day before. When they entered, I was invited into the court-room. The Prosecuting Attorney of the Commonwealth received me at the door, and we passed in together, I taking my seat at the counsellor's table, directly facing his Honor the learned Judge. I entered the room with a firm step, walked proudly through the dark cloud of heads that I saw around me, and when I took my seat I was perfectly calm and collected. It was some time before the court was fairly organized; for everybody present seemed to be confused, except myself. Finally, the jury were sworn, and the witnesses for the Commonwealth called.

Mr. Cherry, the City Constable, who made the original arrest, was sworn, and examined by the Prosecuting Attorney; and, as he testified merely to the facts as they really were, and knew nothing farther, I did not cross-examine him. The same may be said of officer Cox, his assistant at the time of the descent upon the school, who was next called; and also of his Honor, Mayor Stubbs, neither of whom were questioned by me. The next witness called for the prosecution was Mr. C. C. Melson, the agent of my landlord, who, although unexpectedly called upon, walked firmly to the witness stand, placed his hands behind him, fixed his eyes steadily upon the jury, and answered every question with a degree of promptness that did him credit. He testified merely that he was acquainted with me, and was the agent and collec-

tor of rents for Mr. Taylor, my landlord; that he rented me the house, but not for the purpose of keeping a negro school, and that he did not know that one was kept there; that I engaged the house when the foundation was laid, and had lived in it ever since. On being asked if he ever saw any colored children entering it, he replied that he never watched his tenants' houses to see who went in or out. There was no necessity for cross-examining Mr. Melson; and as sufficient facts were deemed proven, and not denied by me, to substantiate the alleged violation of the letter of the law, the case for the prosecution here rested. I then informed the Prosecuting Attorney that I wished, before examining my witnesses, to make a statement to the court in reference to my daughter's absence; and, permission being granted, I then addressed his Honor and the jury:

"I beg leave to inform your honor, and you, gentlemen of the jury, that my daughter, whose name is joined with mine in this prosecution, is at present in the city of New York, and was there at the time the summons was issued and served upon me: but, if she were in Norfolk at this time, I do not know that you have any business whatever with her. She is under age, and has been brought up in strict obedience to me in all things. I am alone responsible for any act of hers, as well as for my own. I am here to answer to any charge that may be brought against me. I have been notified to present myself this day before this court to answer to the charge of having been engaged in teaching colored children to read and to write, and I am informed that in so doing I have been acting against the *peace* and *dignity* of the Commonwealth. This charge, gentlemen, I do not like, but w^h

shall see who it is that destroys our *peace* and insults our *dignity*."

The Prosecuting Attorney here touched me on the arm, thinking that I was about to discuss the merits of the case before the testimony was closed. This somewhat disconcerted me, but I took my seat and soon regained my calmness, and proceeded to call my witnesses.

I had but three, Mr. Walter Taylor, Mr. Sharp, a lawyer, and Mr. John Williams, also a lawyer and the Clerk of the Court in which I was being tried. All these gentlemen were members of Christ's Church, and, together with their wives and daughters, were teachers and instructors of negroes in the Sunday-school held habitually in the lecture room of that Church. Mr. Williams had penned with his own hands the summons that had brought me then before the court, while his own daughter, Miss Eliza Williams was then teaching in that Sunday-school the same children that were in our school, and from the same books that they used with us. Among others who were also engaged in teaching in that Sunday-school, and from the same books that we used, I may mention Mrs. Dixon, Mrs. Southgate, Mrs. Pinkum, Miss Martha Taylor, Miss Jane Watson, Miss Henrietta Hunter, the Hon. Tazewell Taylor, and even some members of the family of Judge Baker who presided on the Bench at my trial, and finally fixed and passed my sentence. In giving the names of these persons, I am not actuated by any malicious feelings towards them, for I most heartily approve of all that they have done in the matter of instructing the colored people of Norfolk, but I do it merely to show the injustice to which I was subjected, while these indi-

viduals, representing the aristocracy of that town, and who had done all, and more than I had done, and because they were such aristocracy, were not only allowed to escape the punishment attached to the offence of which we were equally guilty, but also to aid in the prosecution against me, and even sit in judgment upon me. The deductions from these simple facts are so clear and simple that I need not direct the attention of my readers to them more particularly.

The excitement in the Court room, when the names of my three witnesses were called, was most intense, and when it subsided, Mr. Taylor was put upon the stand, and testified as follows:—

Question. Was you a teacher in the Christ Church Sunday-school?

Answer. For the white children I was, and the school was held in the church.

Q. Did you never visit the lecture room?

A. I had nothing to do with the school that was kept there?

Q. Did you never distribute books to the negro children of that school?

A. I attended the library of the school for white children.

Q. Did you not instruct colored children to read from those books?

A. I did not.

Mr. Taylor was not cross-examined by the Prosecuting Attorney, and I allowed him to take his seat, and called Mr. John Williams, Attorney, and Clerk of the Court. This gentleman took the stand with a pallid countenance, and quivering lip, evidently extremely troubled by the position in which he found

himself placed. My benevolent feelings would not allow him to convict himself or his amiable daughter, and I therefore asked him a few unimportant questions, and dismissed him. I then called Lawyer Sharp, who testified as follows:—

Q. Were you a teacher in the school for colored children, held in Christ's Church Lecture room?

A. No, madam.

Q. Did you not attend the Sabbath-school held there for the instruction of negro children?

A. I went there, occasionally, and lectured to them.

Q. Did you not distribute books among them?

A. *The ladies had all to do with that!*

Q. When you visited that school, did you not instruct them yourself?

To this question he replied very *sharply*,—thus evincing his name to be indicative of his character and disposition,—that they did not teach them to read and write, and that he did not know that the law prohibited religious and moral instruction to negroes.

I answered, "If you, sir, who are engaged in the practice of the law, did not know it, how could it be expected that I should?"

"Madam?" said he, as though he did not understand me. I repeated the question, and he then addressed the Judge, and asked permission to say what he had to communicate directly to the jury. I made no objection, and he proceeded to state as follows:—

That certain negroes applied to Rev. Mr. Cummings, the Pastor of Christ's Church, for religious instruction, and were allowed to meet for that purpose in the lecture room of the

church. He (Sharp) occasionally visited the school and lectured to them. *He found that some of them could read very well, but that when they came to the hard words, he allowed them to skip over them!*

This was sufficient for my purposes. This witness, having at first denied that the members of that school were taught to read, when the question was pressed home, endeavored to escape the perils of his position by saying that *the ladies had all to do with that!* Oh, brave Mr. Sharp! You will henceforth be remembered in Norfolk as having crept under the ladies' aprons in order to shelter yourself from the eye of the insulted law.

But, even after this, he admitted that the scholars were in possession of books, for he, himself, examined them, and found that some of them could read very well. He could not be mistaken about this, because he allowed them to skip over the hard words. This was his own language, and I here leave him where he left himself.

These books were, in many instances, the identical copies used in my school, and my only object in introducing this testimony was to show the jury that I had been doing only what was habitually done in this school, and that if I was guilty of a violation of the law, I had abundant precedents among the aristocracy of the city. This having been shown conclusively by the unwilling witness, Sharp, my case is ended.

The Prosecuting Attorney, who treated me with the utmost respect and deference throughout the whole proceedings, gallantly waived his right to address the jury first, and I proceeded with my closing speech as follows:—

“GENTLEMEN OF THE JURY :

“I now deem it right and proper that you should know something of Mrs. Douglass, who stands before you charged with violating your laws. I do not plead guilty to this charge, for, in my opinion, to be a violator of any law or laws, the individual must know that they are such, which I did not, and had abundant precedents among those who should have known it, if they were such, for what I did. I am a Southern woman by birth, education, and feeling. I have been a slaveholder myself, and I would be again, if I felt so disposed. I am a native of and have always resided in a Southern slave State. The house of my childhood is as dear to me as my life, and I am as deeply interested in the welfare of Virginia, and of the whole united Southern slave States, as I am in the State of South Carolina; yes, and a great deal more so than very many who call themselves men. I am no abolitionist, neither am I a fanatic, and I am by education as strongly opposed as you are to the interference of Northern anti-slavery men with our institutions, although I believe that their principles are based on a religious foundation. I deem it the duty of every Southerner, morally and religiously, to instruct his slaves, that they may know their duties to their masters, and to their common God. Let the masters first do their duty to them, for they are still our slaves and servants, whether bond or free, and can be nothing else in our community. Let us not quarrel with our neighbors, but rather look around us and see what we have ourselves to do that we have left undone so long. I am a strong advocate for the religious and moral instruction of the whole human family. I have always instructed my own slaves, and will continue to do

so as long as I remain in a slave State. Still, I am not disposed to violate the laws of any people or place where I may chance to reside. I cannot believe for a moment that this prosecution is a mere matter of dollars and cents, or that there is not one truly good and noble hearted man among you. Oh no; this I cannot and will not believe. Then let it be the welfare of your people and your country that you seek, and I am with you, heart and soul. This is a matter that calls for the consideration of every true and noble heart—the common welfare of our people. So far as my knowledge of human nature extends, the man who is born a coward, nursed in the lap of ignorance, and brought up a coward, naturally dies a coward. The application of this I leave to yourselves.*

“The children whom I had for instruction were members of Christ’s Church Sunday-school. My own little servant was handed a primer by one of the teachers of that school, with the instruction that he must study his book, and attend the Sunday-school. He was made ready by myself or daughter, and sent every afternoon with his book, to that school. This was done for two years before I interested myself in these children in the form of a regular day-school. I believe it is not expected that ladies will come to the Court House to learn the laws, rules, and regulations of a city in which they may happen to reside. In my opinion, whatever the religious portion of the community is engaged in doing, whether in city, town, or country, is generally considered as lawful and proper. We took care of those children, visited them when sick, and ministered to their wants, and it was a pleasure for us to do so. Was there any thing wrong in this?

“Let us look into the situation of our colored population in city of Norfolk, for they are not dumb brutes. If they were, they would be more carefully considered, and their welfare better provided for. For instance, two or three of these people are not allowed to assemble together by themselves, whether in sickness or in health. There is no provision made for them, whatever the circumstances may be, and such meetings are pronounced unlawful and treasonable. Think you, gentlemen, that there is not misery and distress among these people? Yes, indeed, misery enough, and frequently starvation. Even those that are called free are heavily taxed, and their privileges greatly limited; and when they are sick, or in want, on whom does the duty devolve to seek them out and administer to their necessities? Does it fall upon you, gentlemen? Oh no, it is not expected that gentlemen will take the trouble to seek out a negro hut for the purpose of alleviating the wretchedness he may find within it. Why then persecute your benevolent ladies for doing that which you yourselves have so long neglected? Shall we treat our slaves with less compassion than we do the cattle in our fields?

“In my opinion, we have nothing to fear from the true blooded negro. It is the half-breed, or those with more or less white blood in their veins, whom I have always found presumptuous, treacherous and revengeful. And do you blame them for this? How can you? Ask yourselves the cause. Ask how that white blood got beneath those tawny skins, and let nature herself account for the exhibition of these instincts. Blame the authors of this devilish mischief, but not the innocent victims of it.

“As for myself, I shall keep on with my good work; not, however, by continuing to violate what I now know to be your laws, but by endeavoring to teach the colored race humility and a prayerful spirit, how to bear their sufferings as our Saviour bore his for us all. I will teach them their duty to their superiors, how to live, and how to die. And now, if ignorance of your peculiar laws is not a sufficient excuse for my violation of the letter of them, surely my good intentions, and the abundant examples set before me by your most worthy and pious citizens, ought to convince you that I was actuated by no improper motives, and had no ulterior designs against the peace and dignity of your Commonwealth. But, if otherwise, there are your laws: enforce them to the letter. You may send me, if you so decide, to that cold and gloomy prison. I can be as happy there as I am in my quiet little home; and, in the pursuit of knowledge, and with the resources of a well-stored mind, I shall be, gentlemen, a sufficient companion for myself. Of one consolation you cannot deprive me: I go not as a convicted felon, for I have violated no tittle of any one of the laws that are embodied in the Divine Decalogue; I shall be only a single sufferer under the operation of one of the most inhuman and unjust laws that ever disgraced the statute book of a civilized community.”

I here closed my remarks, after saying that if any counsellor present was disposed to speak in my behalf, he should receive my grateful thanks; but, no one responding, I passed into the jury-room, to await the result. I was informed that the Prosecuting Attorney made but a few remarks, not urging a conviction very strongly, but, of course, as in duty bound, correctly stating the law, in the case, to the jury. A number of gentlemen present

came to me and tendered their congratulations on my address to the jury. I had spoken in a loud and distinct voice, duly emphasizing my words that they might have their full effect. I had spoken for nearly three-quarters of an hour, and felt somewhat exhausted, but by no means unnerved.

It was not long before I was informed that the jury were not likely to agree immediately upon a verdict, and I therefore returned home. They had some difficulty in coming to a unanimous verdict, and it was not until the morning of the third day that they rendered one of Guilty, but fixing the fine at one dollar, instead of one hundred. This verdict was to have been expected. There was no denial that the law, as it stood, had been disobeyed by me, and a verdict of guilty on the charge, as preferred, was therefore inevitable. The jury had it in their power to reduce the fine to a mere nominal sum, which they did, also fully believing that the judge would exercise the same discretion, and entirely remit the imprisonment attached to the offence. This was also the universal belief as well as general desire on the part of the community. I was not sent for on the rendition of the verdict; and, the court, having to adjourn, my sentence in form was deferred until the 10th day of January, 1854.

In order that the fidelity of my narrative may be attested by the evidence of the Virginians themselves, I will here insert an article that appeared in the Petersburg *Daily Express*, dated November 30th, 1853, and which was made up chiefly from the Norfolk *Daily News*. It was headed "Her Own Lawyer," and I give it *verbatim* :—

"Quite a novel and highly interesting case has recently been

tried before Judge Baker at Norfolk City. A Mrs. Margaret Douglass, formerly of Charleston, S. C., was arraigned one day last week, on a charge of teaching negro children to read and write, contrary to the statute in such cases made and provided, and against the peace and dignity of the Commonwealth.

“By some means or other, as we learn from the ‘Daily News,’ a report had been previously circulated that the lady had determined not to employ the services of counsel, but to rely solely upon her own legal abilities in conducting her defence. This, as a matter of course, filled the court-room with persons anxious to witness the novel spectacle, and when she entered the court-room and took her seat among the lawyers, a most profound sensation was created.

“The jury had no sooner been empaneled, than the lady, without waiting for the examination of witnesses, or the opening remarks of the Attorney for the Commonwealth, proceeded in a clear and melodious voice, to the consideration of the charges set forth in the indictment.

“The surprise of the whole legal fraternity was so great, at this sudden revolution in the time honored practice of the Courts, that she had progressed considerably into the merits of the case, before his Honor recovered himself sufficiently to inform her, that it would be more regular to suspend her remarks until after the examination of witnesses was concluded. The lady readily assented to the proposition of his Honor, and the witnesses for the Commonwealth were called to the stand. By their testimony, it appeared that, some months ago, information reached his Honor, the Mayor, Simon S. Stubbs, Esq., of a school for the education of blacks, being in successful operation in the city of Norfolk,

under the superintendence of Mrs. Douglass. A warrant was immediately issued, with directions to the officers to bring all parties concerned before him, in order that the matter might be investigated. Upon repairing to the residence of Mrs. Douglass, the officers found some eighteen or twenty youthful descendents of Ham engaged in literary pursuits, all of whom, with their teachers, Mrs. Douglass and her daughter, were taken into custody, and carried to the Mayor's office. After a full investigation of the matter, his Honor decided to dismiss the complaint in order that a Grand Jury might have an opportunity of giving it consideration. At the meeting of the Grand Jury a true bill was found against Mrs. Douglass and her daughter, but the latter having previously gone to New York, process could not be served upon her. On the part of the defence, the lady examined several prominent and respectable gentlemen, members of the Church, for the purpose of showing that the practice of teaching blacks had been sanctified by the customs of the members of the different churches in the city in having Sunday-schools exclusively for that purpose. It did not appear from the evidence of any of the gentlemen called upon by Mrs. Douglass, that they had actually seen negroes taught *from books* in any of the Sunday-schools of the City, but the fact, as stated by them, that nearly all of the negroes attending the Sunday-schools *could read*, gave rise to a violent suspicion that many of the ladies and gentlemen of our city, moving in the higher circles of society, had been guilty of as flagrant a violation of the law, as could be imputed to Mrs. Douglass and her daughter.

“At the conclusion of the evidence, the attorney for the Commonwealth kindly gave way for Mrs. Douglass to continue her appeal

to the Jury, which was done on the part of that lady, in a manner that would have reflected credit on Miss Lucy Stone, or any other member of the 'strong minded' sisterhood. She disdained to deny the charge preferred against her, or to shirk the responsibility in any way whatever, but gloried in the philanthropic duties in which she had been engaged. She denied, however, any knowledge of the existing laws upon the subject, and confidently expected that the jury would not pronounce her guilty, for having committed no other offence than that of being betrayed into error—if such it was—by what she had deemed distinguished precedents. Having concluded her address she retired from the court, and the case was briefly concluded by the Attorney for the Commonwealth.

“The jury, being unable to agree upon a verdict the first day of the trial, were adjourned over until next morning, when they found the defendant guilty, and fined her one dollar.

“The *D. acon* says, the Judge in passing sentence, according to the statute, will condemn her to imprisonment for not less than six months.”

During the interval that occurred between my conviction and the sentence of the Court, I obtained permission from the Court and Sheriff to visit New York, where I remained two weeks, and then returned with my daughter. This being so contrary to the expectations and wishes of the authorities and other public men of Norfolk, who were extremely anxious that I should never return, in order that, by branding me as a fugitive from justice, they might escape the disgrace and odium already attached to their proceedings, and thus get cleverly out of the difficulty; they were exceedingly incensed, and commenced a series of

persecutions in the shape of personal attacks in some of the Norfolk papers, particularly the *Courier* and the *Argus*. The editor of the *Courier*, W. Wallace Davis, was the ringleader in this movement, and was frequently in the habit of disgracing himself and his paper, and insulting the better class of the community, by indulging in such diatribes as no gentleman would ever suffer himself to be guilty of. It would seem as though the justice of Heaven had speedily overtaken him with its retributions, for it is but a few weeks ago that he died suddenly, as it is said from the effects of some great mental suffering, and it is not ungenerous to suppose that the stings of conscience, when he reflected upon his inhuman course towards me, became severer than he could endure. I leave him with his God.

To show that such were the wishes of the authorities and others, I quote the following passage from the Norfolk *Argus*, under date of February 9th, 1854. I quote the whole of the article here, though portions of it have reference to what occurred subsequently, as I may have occasion to refer to the other passages. It is headed "*Commonwealth vs. Mrs. Douglass*," and reads as follows:

"We publish to-day the judgment of Hon. Judge Baker in the case of Mrs. Douglass, which has much excited our citizens. The first time within the passage of the act forbidding the teaching of slaves or free colored persons to read or write, has a case of this description come under the jurisdiction of our Court, and it was singular that this case should be a woman. The jury found a verdict of guilty, and the law had to be sustained. Sympathy was aroused for Mrs. Douglass. It was revolting to the citizens to have a woman imprisoned in our jail, and every

inducement was offered Mrs. Douglass to escape the punishment. The Court was obliged to adjourn its judgment over, and although a *capias* was awarded, yet it was the hope and wish of every one that she would leave the city. But no; 'a martyr' she 'would be to the cause of benevolence;' and to cap the climax, she brought her daughter, a maiden of some seventeen summers, who had obeyed the injunctions of her mother, as a child should, to try the stern realities of the laws, and, to use her own language in defending her cause, 'to glory in works of benevolence and charity to a race down-trodden.' Then sympathy departed, and in the breast of every one rose a righteous indignation towards a person who would throw contempt in the face of our laws, and brave the imprisonment for 'the cause of humanity.'

"The decision of Judge Baker is cogent and pungent, and will be read with interest. The laws must be upheld. It is not for the Judge to set upon the constitutionality or justice of the law; it is for him a sacred duty to impose the punishment meted out in the code. Virginia must keep in restraint the wire-workings of abolition sentiments. We have in this town suffered much from the aggression of Northern foes, and a strong cordon must encircle our domestic institutions. We must preserve from discord and angry passions our firesides and homesteads. We must preserve inviolate the majesty of laws necessary for the protection of our rights; and there is no one of intelligence and foresight who will pronounce the judgment unrighteous.

"Mrs. Douglass's time will run out this week, and we have heard it stated from good authority, that her imprisonment will be a pecuniary reward to her. We hope that our citizens will prevent by all possible means any attempt to aid this woman, but

let her depart hence with only one wish, that her presence will never be intruded upon us again. Let her seek her associates at the North, and with them commingle, but let us put a check to such mischievous views as fell from her lips last November, sentiments unworthy a resident of the State, and in direct rebellion against our Constitution."

My readers will perceive two important concessions in this article; first, that mine was the first case that had ever been tried under that peculiar act since its passage, and that public sympathy was strongly excited in my favor: and secondly, that it was the hope and wish of every one that I should leave the city, and thus enable them to escape from the dilemma in which they were placed. Now, I submit to my readers whether it was not asking a little too much of me, that I should voluntarily allow myself to be branded as an escaped fugitive, and subject myself to be advertised as such in every newspaper in the country, have a price set upon my head, and be hourly liable to arrest by any officer, who thought it worth the trouble, wherever I might be. No, I was no coward; and, rather than place myself in such a position as that, I would have suffered my right hand to be cut off.

It must be said, however, that neither I, nor any one else, ever supposed for a moment, that I should receive any further punishment for my offence than the infliction of the nominal fine already fixed by the verdict of the jury. Justice did not require it, nor the cause of morality. My character was such that there was no cause to fear that I should break my pledge, and attempt to renew my school; and common gallantry alone should have led any gentleman, much more a dignified Judge, in whose sole dis-

cretion the matter rested, to have dealt with a woman as leniently as the strict letter of the law would allow. I rested in perfect security until the 10th day of January, 1854, when I was called before the Court, and received from Judge Baker, not only an unnecessarily long and discourteous reprimand, but a sentence to an imprisonment of one month in the city jail !

So astounded were the whole community at the shameless impudence of such a sentence, from a Judge whose own family had been engaged in the very same acts for which I was punished, that a number of the most respectable members of the Norfolk bar requested a copy of Judge Baker's decision for publication, which correspondence, with the decision as then published, I here give entire :—

COMMONWEALTH vs. MARGARET DOUGLASS.

HON. RICHARD H. BAKER :

Dear Sir—The undersigned, members of the Norfolk Bar, earnestly ask at your hands a copy of the judgment this day pronounced in the case of Commonwealth vs. Douglass, for publication.

TAZEWELL TAYLOR,

M. COOKE,

H. WOODIS,

WM. G. DUNBAR,

Jan. 10th, 1854.

SIMON S. STUBBS,

WM. T. HENDREN,

JNO. S. LOVETT,

P. P. MAYO.

“DECISION.

Upon an indictment previously found against you, for assembling with negroes to instruct them to read or write, and for asso-

ciating with them in an unlawful assembly, you were found guilty, and a mere nominal fine imposed, on the last day of this Court held in the month of November. At the time the jury came in and rendered their verdict you were not in Court, and the Court being about to adjourn for the purpose of attending to other official duties in a distant part of the State, it was necessary and proper, under the law, to award a *capias* against you, returnable to the present adjourned term, so that the judgment and sentence of the law may be fulfilled. The Court is not called on to vindicate the policy of the law in question, for so long as it remains upon the statute book, and unrepealed, public and private justice and morality require that it should be respected and sustained. There are persons, I believe, in our community, opposed to the policy of the law in question. They profess to believe that universal intellectual culture is necessary to religious instruction and education, and that such culture is suitable to a state of slavery; and there can be no misapprehension as to your opinions on this subject, judging from the indiscreet freedom with which you spoke of your regard for the colored race in general. Such opinions in the present state of our society I regard as manifestly mischievous. It is not true that our slaves cannot be taught religious and moral duty, without being able to read the Bible and use the pen. Intellectual and religious instruction often go hand in hand, but the latter may well exist without the former; and the truth of this is abundantly vindicated by the well-known fact that in many parts of our own Commonwealth, as in other parts of the country in which among the whites one-fourth or more are entirely without a knowledge of letters, respect for the law, and for moral and

religious conduct and behaviour, are justly and properly appreciated and practised.

“A valuable report or document recently published in the city of New York, by the Southern Aid Society, sets forth many valuable and important truths upon the condition of the Southern slaves, and the utility of moral and religious instruction, apart from a knowledge of books. I recommend the careful perusal of it to all whose opinions concur with your own. It shows that a system of catechetical instruction, with a clear and simple exposition of Scripture, has been employed with gratifying success; that the slave population of the South are peculiarly susceptible of good religious influences. Their mere residence among a Christian people has wrought a great and happy change in their condition: they have been raised from the night of heathenism to the light of Christianity, and thousands of them have been brought to a saving knowledge of the Gospel.

“Of the one hundred millions of the negro race, there cannot be found another so large a body as the three millions of slaves in the United States, at once so intelligent, so inclined to the Gospel, and so blessed by the elevating influence of civilization and Christianity. Occasional instances of cruelty and oppression, it is true, may sometimes occur, and probably will ever continue to take place under any system of laws: but this is not confined to wrongs committed upon the negro; wrongs are committed and cruelly practised in a like degree by the lawless white man upon his own color; and while the negroes of our town and State are known to be surrounded by most of the substantial comforts of life, and invited both by precept and example to participate in proper, moral and religious duties, it

argues, it seems to me, a sickly sensibility towards them to say their persons, and feelings, and interests are not sufficiently respected by our laws, which, in effect, tend to nullify the act of our Legislature passed for the security and protection of their masters.

“The law under which you have been tried and found guilty is not to be found among the original enactments of our Legislature. The first legislative provision upon this subject was introduced in the year 1831, immediately succeeding the bloody scenes of the memorable Southampton insurrection; and that law being found not sufficiently penal to check the wrongs complained of, was re-enacted with additional penalties in the year 1848, which last mentioned act, after several years trial and experience, has been re-affirmed by adoption, and incorporated into our present code. After these several and repeated recognitions of the wisdom and propriety of the said act, it may well be said that bold and open opposition to it is a matter not to be slightly regarded, especially as we have reason to believe that every Southern slave State in our country, as a measure of self-preservation and protection, has deemed it wise and just to adopt laws with similar provisions.

“There might have been no occasion for such enactments in Virginia, or elsewhere, on the subject of negro education, but as a matter of self-defence against the schemes of Northern incendiaries, and the outcry against holding our slaves in bondage. Many now living well remember how, and when, and why the anti-slavery fury began, and by what means its manifestations were made public. Our mails were clogged with abolition pamphlets and inflammatory documents, to be distributed among

our Southern negroes to induce them to cut our throats. Sometimes, it may be, these libelous documents were distributed by Northern citizens professing Southern feelings, and at other times by Southern people professing Northern feelings. These, however, were not the only means resorted to by the Northern fanatics to stir up insubordination among our slaves. They scattered far and near pocket handkerchiefs, and other similar articles, with frightful engravings, and printed over with anti-slavery nonsense, with the view to work upon the feeling and ignorance of our negroes, who otherwise would have remained comfortable and happy. Under such circumstances there was but one measure of protection for the South, and that was adopted.

“Teaching the negroes to read and write is made penal by the laws of our State. The act imposes a fine not exceeding one hundred dollars, to be ascertained by the jury, and imprisonment not exceeding six months, to be fixed and ascertained by the Court. And now, since the jury in your case has in my opinion properly settled the question of guilt, it devolves on me, under the law, to ascertain and decide upon the quantum of imprisonment under the circumstances of your trial; and I exceedingly regret, that in being called on *for the first time* to act under the law in question, it becomes my duty to impose the required punishment upon a female, apparently of fair and respectable standing in the community. The only mitigating circumstance in your case, if in truth there be any, according to my best reason and understanding of it, is that to which I have just referred, namely, you being a female. Under the circumstances of this case, if you were of a different sex, I should regard the full

punishment of six months imprisonment as eminently just and proper. Had you taken the advice of your friends and of the Court, and had employed council to defend you, your case no doubt, would have been presented in a far more favorable light both to the Court and to the jury. The opinions you advanced, and the pertinacity and zeal you manifested in behalf of the negroes, while they indicated perfect candor and sincerity on your part, satisfied the Court, and must have satisfied all who heard you, that the act complained of was the settled and deliberate purpose of your mind, regardless of consequences, however dangerous to our peace.

“In conformity with these views, I am impelled by a feeling of common honesty, to say that this is not a case in which a mere formal judgment should be announced as the opinion of the Court. Something more substantial under the circumstances of this case, I think, is demanded and required. The discretionary power to imprison for the term of six months or less, in good sense and sound morality, does not authorize a mere minimum punishment, such as imprisonment for a day or week, in a case in which the question of guilt is free from doubt, and there are many facts and circumstances of aggravation. A judgment of that sort, therefore, in this case, would doubtless be regarded by all true advocates of justice and law as mere mockery. It would be no terror to those who acknowledge no rule of action but their own evil will and pleasure, but would rather invite to still bolder incendiary movements. For these reasons, as an example to all others in like cases disposed to offend, and in vindication of the policy and justness of our laws, which every individual should be taught to respect, the judgment of the Court is, in

addition to the proper fine and costs, that you be imprisoned for the period of one month in the jail of this city."

It is hardly necessary for me to dwell upon my feelings when I received this unexpected sentence. They were of course more interesting to me than to my readers. My narrative of the history of the case here properly terminates, it being only necessary for me to state that I was immediately incarcerated, and spent the month within the walls of a prison, one week of which was passed in sickness. I received every allowable attention from the jailor and his amiable wife, and even remained with them a day or two after my sentence expired.

All social ties that bound me to the people of Virginia were sundered by this act; I was free from any obligation due to their laws, and felt that I could be of no farther service to any one, whether white or colored. I therefore gathered together my little household goods, and, in the month of February last, removed with my daughter to the City of Philadelphia, where we are now quietly residing, happy in the consciousness that it is here no crime to teach a poor little child, of any color, to read the Word of God.

My readers will naturally expect from me sundry reflections in connection with my personal narrative. The subject itself naturally induces them, and I should be untrue to myself if I, a Southern woman, did not address the Southern people in terms which the occasion and circumstances justify. My remarks will be desultory and disconnected, as I am merely to record such thoughts as have occurred to me not only during the time that has passed since my conviction, but which had been previously

forced upon me by carefully examining the condition of the Southern people in all their relations.

Many laws in Virginia, as elsewhere, have become *dead-letters*. Even in Norfolk itself, as well as generally throughout the State, the particular law infringed unknowingly by me, had long been held as such, and was violated daily and hourly by those who were regarded as leaders in society, in morals and in religion. But the opportunity was so good a one to make *me* a victim, a sacrifice in expiation of all past offences and offenders, that it could not be overlooked. Caught and bound, I was laid upon the altar of the law, but did not experience the good fortune of Isaac. There was the fire and the wood—heartless judge and quibbling lawyers, and I was immolated. Was not such justice chivalrous? Were not such lawyers magnanimous?

Here is presented a somewhat singular state of things to exist in a State professing to be the most gallant and dignified of the whole Confederacy. A large number of negroes, amounting in value to between fifty and one hundred thousand dollars, have, within a short time, made their escape from Norfolk to a Northern port. This is a grievously sore evil, and decidedly practical loss. But what is the plan pursued? Why, after failing to secure a portion of them, all further efforts to obtain them are given up, and pure listlessness and indifference take the place of an active interest in favor of recovering or protecting their property. A meeting, advertised to call together slave-owners to suggest some plan of redress, meets with but a meagre and partial response, and the matter ends by permitting the whole outrage and grievance to die away among the idlest trifles of the day.

On the other hand, a *lady* is caught, detected, entrapped, following in the wake of others, teaching a few free negroes to spell and read their Sunday lessons, and upon proof thereof, is put into a felon's prison, and the ignominy, disgrace, and infamy even of a base criminal are said to be hers, by the bench and the press. If Northern vessels bear away the slaves of Norfolk, the height of revenge and recrimination seem to be found in venting upon a *Southern lady's* head the vindictiveness of individuals and the violence of the law. If Northern marshals refuse to perform their duties as slave-catchers under the Fugitive law, the whole matter, after a little feeling, is allowed to be forgotten; but, let a Southern lady presume to obey some of the gentlest and purest instincts of her nature and the teachings of charity, by instructing a few free black urchins of both sexes to read their Bibles, and the penalties of the law are visited upon her head, without any compunctions of conscience, any attention to the monitions of gallantry, or any regard to the restraints of a refined delicacy. Alas! for the boasted honor and honesty of the old Virginia nobility!

Here is a view of the case that may not be unworthy of attention: It is the energy of the white man that has made this country what it is, and his *alone* that will make it what it is to be. To the sinew, the nerve, the strong arm, the moral and physical courage, and the genius of the Anglo-Saxon race, is the world indebted for the grand spectacle we now present as a great, happy and prosperous people; and to the same ennobling elements and excellencies in the composition of the white man will the vast republican empire, now spreading its arms over the whole earth, be indebted for its existence and perpetuation.

Holding this view, it cannot be then said that I was educating negroes as rivals or competitors of my brothers and sisters of a superior race. Holding to this opinion, with a tenacity that is as inseparable from my judgment as is color from the Ethiopian,—knowing, as I do, from all history as well as all cotemporary observation and record, that the Caucasian race are the “most godlike,” and the authors of all in the arts and sciences that contributes most to man’s more refined tastes, pleasures, and ambition. I am sure that I could not, South nor North, attempt to change the “Ethiopian’s skin” in the vain endeavor to make him an equal—socially, politically, or even morally—with my own race. No such thing, however, was charged upon me. My offence consisted in teaching a few poor colored children, free by the laws of their own State, to read the Bible, the very book on which the institutions of our land are based. Common charity, then, would have attributed to me only a feeling of sympathy for a lower order of society; common charity, as had been the case before, in Virginia, would have looked with a lenient eye upon what *the want of all charity* construed into a crime!

I feel impelled here to review briefly the decision of Judge Baker, in my case, and to make such remarks upon it as may seem pertinent. It will be seen that the letter requesting a copy of the decision for publication is signed by a number of the most respectable citizens of Norfolk, and an attempt has been made to identify them as entertaining the same opinions, and possessing the same want of sympathy, as the Judge himself. I am happy, however, to inform my readers that such is not the case. They, in common with the rest of the sensible portion of the community, were astounded by the decision, and merely desired

to have on record the exact language and sentiments of this strange dispenser of justice, in order that they might know henceforth in what light to regard him. That he insulted the good sense and generous nature of the community in which he lived by so cowardly and unmanly a decision, and especially by his needless and uncalled for tirade addressed to me on passing sentence, he now well knows. The community have already placed the proper estimate upon him, and he is writhing under the double infliction of their contempt, and the stings of his own conscience. I have already stated the sudden and mysterious death of Mr. Davis, one of my bitterest persecutors, and am also informed that Judge Baker, since the rendering of his decision in my case, "has never been of exactly as equable and pleasant a frame of mind, but much more morose, snarlish, and nervous." Poor man! He certainly has sufficient cause to be so.

The Judge admits in his decision, that there are persons in that community opposed to the policy of the law in question, and who believe that universal intellectual culture is necessary to religious instruction and education, and that such culture is suitable to a state of slavery. He, however, embraces the opportunity to state that he regards such opinions as "manifestly mischievous." Hear, oh Earth! A Judge, in the most enlightened country in the world, and in the nineteenth century, believes that the intellectual culture of human beings is a crime! He professes to hold the Bible to be the word of God, and the very bulwark of our institutions—from it he derives the right to hold a portion of human beings in bondage—in it he sees the Divine command to every human soul to "search the Scriptures," and

yet says that a certain portion of the world must not obey this command, and that it is a crime to teach them to do so! Admirable logic! Oh, most righteous Judge! His real character may be better seen revealed in a subsequent sentence, wherein he argues that there is more respect for the law and for moral and religious conduct and behavior in those sections of Virginia, where even among the whites one-fourth or more are entirely without a knowledge of letters. Why, this man's avowed principles would do away with education of any kind for any class of people! He would see his own State, proud and haughty Virginia, return to a state of barbarism, and completely shrouded in a pall of mental darkness! This is the inevitable conclusion from his own words. Is Norfolk, that little corner of the great Commonwealth, so far behind the age as to desire a state of things so earnestly deprecated in other sections of the State? Or is this sapient Judge alone the entertainer of such sentiments? Does he not know that the people throughout the old Commonwealth have become alarmed at their rapid degradation, and are petitioning their Legislature to devise measures to stop the downward tendency to utter ignorance? Has he never seen this short but momentous sentence, originally published in the *Richmond Whig* of April 3d, 1854, viz:

“Every decade exhibits a rapid and fearful increase of this mass of ignorance. In 1840, the number of the unlettered in Virginia amounted to sixty thousand. In 1850, it exceeded eighty thousand. At this rate, it will not require many centuries to extinguish all knowledge of letters in the State.”

Here is a fact that every Virginian should ponder well. There is no doubt as to the data, and less as to the result,

unless something is done at once to stay this downward current. Let them study the *real cause* of this state of things, and not attribute it to any but the right one. Is the way to remove the evil properly commenced by imprisoning a woman for teaching a few little children to read? Again I say, oh, most righteous Judge!

But the hardihood of Judge Baker was evinced in his using the language quoted, when he knew that his most intimate friends, and even members of his own family had been and were engaged in doing with impunity what in me was a crime. How he can reconcile his treatment of me with his conscience, when he remembers this fact, is best known to himself. Probably his usual admirable logic will help him out of the dilemma. I am sure I cannot.

The learned Judge grows remarkably religious as he proceeds. He admits that "the slave population of the South are peculiarly susceptible of good religious influences." He even dares to say that "their mere residence among a Christian people has wrought a great and happy change in their condition: they have been raised from the night of Heathenism to the light of Christianity, and thousands of them have been brought to a saving knowledge of the Gospel. Of the one hundred millions of the negro race, there cannot be found another so large a body as the three millions of slaves in the United States, at once so intelligent, so inclined to the Gospel, and so blest by the elevating influences of civilization and Christianity." Allow me, oh wonderful judge! to ask you one simple question, which I much fear even your logic will be puzzled to answer. If such be the character and condition of the slave population, and the more,

(as by your own showing,) they become acquainted with the principles of the Gospel, the more they conform to them, how is it that you regard as a crime, the giving them the instruction necessary to accomplish this purpose? Which horn of this dilemma will your Honor choose to be impaled upon? Sorry am I to be compelled to contradict a professed gentleman, but your Honor knew that you were telling an untruth when you uttered that sentence, and you knew also the *cause* of the misery and degradation among Southern slaves, producing as it does a state of things which may well lead you to fear to have them instructed in any thing. I know that *cause*, also, and I am going to tell it boldly to my Southern brothers and sisters before I close my present labor.

You are pleased to term the exercise of the commonest dictates of humanity in me a “sickly sensibility” towards the colored race. Be it so. But I require the aid of no physician to heal me, and rather, would to God that my disease were contagious, and that I could therewith infect the entire South. A little portion of the *virus* might perhaps not be unavailable even in your veins. If it be a “sickly sensibility” to yearn to impart to immortal souls, that instruction necessary to guide them through life and upwards towards heaven, I confess that I am guilty. This is the head and front of my offending—no less—no more.

The decision admits that the enactment under which I suffered was not to be found in the original code of Virginia, but the result of the experience and wisdom of the later inhabitants of that State. Certainly, the framers of the original laws of the old Commonwealth were men of too much sense and foresight,

too Christian, too civilized, too human, to incorporate such a disgraceful law into their rules of government. That task was left to their degenerate sons of the present decade, and even then it could not be accomplished until eighty thousand of them had returned into that mental obscurity that characterized the dark ages. The law, on its very face, indicates that it was not the offspring of men of intelligence or common prudence. Any law declaring that any portion of human beings shall be denied the benefits of education, must spring from ignorance and error, and must inevitably lead to the same results universally. The defender of such a law voluntarily classes himself with those who made it, and those against whom it especially operates. Such a man is the Honorable Richard H. Baker.

The next paragraph of this venerable decision is so strangely constructed that I hardly know what to say of it. The Judge literally foams at the mouth and presents sad symptoms of hydrophobia. The expressions "Northern incendiaries," "anti-slavery fury," "inflammatory documents," "cut-throats," "Northern fanatics," "anti-slavery nonsense," &c., make up the entire paragraph. His Honor grows pale over a poor little inoffensive piece of muslin, with a picture upon it which he denominates "frightful." He succeeds in working himself into a perfect fury, and about what? With nothing that I can see with which I, or the question before him, had anything to do. *I* was not a Northern incendiary or fanatic, nor did I distribute any inflammatory documents or anti-slavery nonsense. I was a Southern woman, in every sense of the word, and he knew it. I used no books, except the Bible, or those which illustrated it, and he knew this also. The only escape for his honor is that

he denounces the Bible as an inflammatory or incendiary document, and as such must not be taught to the slaves.

The Judge next regrets that I am a woman, for the modicum of gentlemanly honor and dignity which he has left, prevents him from exercising the full bent of his inclinations, and inflicting upon me the full penalty of the violated law. It is a pity he remembered that I was of the weaker sex, and I feel that I have no thanks to offer him for his proposed lenity, for, under the circumstances of the case, an imprisonment for six months would have been no severer than the one for thirty days. He admits that the jury had the power to regulate the amount of the fine, but claims that it was his prerogative to name the term of my imprisonment. The jury, it will be seen, made the fine merely nominal, thus attesting in the most emphatic manner their appreciation of the merits of the case. There was not a man on that jury who was not fully as capable of judging of right and wrong, as was he who occupied the bench. And yet he, this one man, had the hardihood to set his judgment over theirs, and virtually insult the whole twelve, by inflicting a punishment so severe that it was no charity to me not to have exercised his power to the fullest extent. He admits that I was of fair and respectable standing in the community, and knew from the evidence, as well as from his own knowledge, that I had abundant precedents for what I had done, and that, knowing the law, I had no intention of again violating it; also, that the feeling of the entire community was in my favor, and yet he wantonly, needlessly, and inhumanly exercised the authority with which he was clothed, in order to make an example of me, when I, by my forbearance, had refused to place scores of re-

spectable ladies and gentlemen of Norfolk, and some of them members of his own family, in the unpleasant position which I then occupied. He even twitted me because I had not deemed it proper to employ counsel to defend me, intimating that my case would have been presented in a more favorable light to the Court and jury thereby. This shows the very blackness of his malice, for the jury did all they could, and I do not entertain the least feeling of anger towards one of them. They could not do otherwise than find me guilty of a violation of the law, as it stood, but they did all in their power to render its penalty nominal, by imposing upon me the lowest fine it recognized. It was the Judge himself who insulted the jury by virtually telling them their judgment was erroneous, and then he turns to me and says my case might have been more favorably presented if I had employed counsel!

The conclusion is obvious, that he was actuated, not by a desire to uphold the law and administer justice, but by some motive alike discreditable to him as a Judge and a man. With this conclusion, I leave him to settle with his own conscience. I have no disposition to call him hard names. He has done me all the injury he could, and though I may forgive him, I am satisfied that he never can forgive himself, or escape from the doom to which he has already been sentenced by every sensible and right thinking person in the community. Honorable Richard H. Baker, Judge of the Circuit Court of the City of Norfolk, I bid you an affectionate farewell.

I will here give to my readers a verbatim copy of the law under which I was prosecuted and convicted. It is copied from the code of Virginia, passed by the General Assembly of the

Commonwealth of Virginia, in the month of August, 1849, and will be found on page 747, chapter 198. It reads as follows:—

“Section 31. Every assemblage of negroes for the purpose of religious worship, when such worship is conducted by a negro, and every assemblage of negroes for the purpose of instruction in reading or writing, or in the night-time for any purpose, shall be an unlawful assembly: any Justice may issue his warrant to any officer, or other person, requiring him to enter any place where such assemblage may be, and seize any negro therein; and he, or any other Justice, may order such negro to be punished with stripes.

“Sec. 32. If a white person assemble with negroes for the purpose of instructing them to read or write, or if *he* associate with them in an unlawful assembly, *he* shall be confined in jail not exceeding six months, and fined not exceeding one hundred dollars; and any Justice may require *him* to enter into a recognizance, with sufficient security, to appear before the Circuit, County, or Corporation Court, where the offence was committed, at its next term, to answer therefor; and in the meantime, to keep the peace and be of good behavior.”

It will be seen from this, that in the enlightened State of Virginia, it is a crime for one portion of human beings to worship their Maker! Comment is unnecessary. Those men, whose moral sense was so blunted, so destroyed, that they could pass such a law as that, could not be expected to find much difficulty in enacting one subjecting to fine and imprisonment any one who taught negro children their letters. The old law, for which this is a substitute, was exceedingly explicit in this respect, but had become a dead letter. The new one is very loose in its language. It will be seen that the expressions “*he*” and “*him*”

are used, allowing the Judge and jury the opportunity of a strict construction of the law, in case a lady should be concerned. Since my trial and conviction, I have been advised by one of the most eminent counsel in Virginia, that the Norfolk Court exceeded its powers, and violated the law by not construing the act literally in my case. It is possible that I may yet hold all the parties concerned responsible for their unlawful course. At any rate, it utterly demolishes the nice theory of Judge Baker, that he was bound to sustain the law, and leaves him without an excuse for his unnecessary severity towards me.

I now approach a subject vitally connected with the interests of the South and the welfare of humanity. In doing so, I have no rancor or malice to serve, but boldly speak my mind, and tell my Southern sisters a truth which, however they may have learned it by sad experience, has probably never been thus presented to them before. *In this truth is to be found the grand secret of the opposition to the instruction of the colored race.* It therefore becomes important in connection with my narrative. In this truth also lies the grand secret of the discontent and rebellion among the slaves. Knowing this, it is easy to perceive why such strenuous efforts are made to keep the colored population in darkness and ignorance. As it is, nature herself often rebels against what instinct teaches even the most degraded negro to be inhuman and devilish, and if to this were added the light of intelligence afforded by even the commonest instruction, wo to the darling system of this offspring of the institution of slavery. This subject demands the attention, not only of the religious population, but of statesmen and law-makers. It is the one great evil hanging over the Southern slave States, destroying domestic happiness and the peace of thousands. It is

summed up in the single word—*amalgamation*. This, and this only, causes the vast extent of ignorance, degradation, and crime that lies like a black cloud over the whole South. And the practice is more general than even Southerners are willing to allow. While even the Northern libertine usually revolts from the intimate society of those in whose veins courses a drop of black blood, the Southern *gentleman* takes them to his very bosom and revels in their fancied charms, until satiety disgusts him, when he deliberately sells them into lower degradation as he would a disabled horse.

It is impossible to deny that this unnatural custom prevails to a fearful extent throughout the South. The testimony is of too positive and personal a character to be overcome. Neither is it to be found only in the lower order of the white population. It pervades the entire society. Its followers are to be found among all ranks, occupations, and professions. The white mothers and daughters of the South have suffered under it for years—have seen their dearest affections trampled upon—their hopes of domestic happiness destroyed, and their future lives embittered even to agony, by those who should be all in all to them as husband, sons and brothers. I cannot use too strong language in reference to this subject, for I know that it will meet with a heartfelt response from every Southern woman. I would deal delicately with them if I could, but they know the fact, and their hearts bleed under its knowledge, however they may have attempted to conceal their discoveries. Southern wives know that their husbands come to them reeking with pollution from the arms of their tawny mistresses. Father and son seek the same sources of excitement, and alike gratify their inhuman pro-

pensities, scarcely blushing when detected, and recklessly defying every command of God and every tie of morality and human affection. They have not even the paltry excuse that ordinary liberties sometimes make, that their love is real, though illicit—the whole practice is plainly, unequivocally, shamelessly *bestly*. Is there any wonder then that people addicted to these habits are rapidly returning to a state of semi-barbarism?

Is it to be supposed that the ordinary teachings of nature do not tell the sable sons and daughters of the South that this custom is inhuman and ungodly? Is not chastity a natural instinct, even among the worst savage nations of the earth? Will not the natural impulses rebel against what becomes with them a matter of force? The female slave, however fair she may have become, by the various comminglings of her progenitors, or whatever her mental and moral acquirements, knows that she is a slave, and as such, powerless beneath the whims or fancies of her master. If he casts upon her a desiring eye, she knows that she *must* submit. There is no way of escape, and her only thought is, that the more gracefully she yields the stronger and longer hold she may, perchance, retain upon the brutal appetite of her master. Still, she *feels* her degradation, and so do others with whom she is connected. She has parents, brothers and sisters, a lover perhaps, all of whom suffer through and with her, and in whose hearts spring up roots of bitterness which are destined to grow into trees whose branches will sooner or later overshadow the whole land.

How important, then, for these Southern sultans, that the objects of their criminal passions should be kept in utter ignorance and degradation. They must not read the Bible because

that teaches them of the sin of their masters. They must not worship God, for the effect thereof would be to imbue them with a deeper horror of this great wickedness. They must not learn to read and write, for every mental and moral improvement only tends to bring out and improve those feelings and emotions that already repel this gross system of sensuality and licentiousness. Were the negroes instructed in their duties to themselves and to each other, their obligations to their masters and their God, and were these instructions exemplified by the consistent lives of their masters, with the natural religious tendencies of the negro race, the South would become the very garden of the Lord. Instead of becoming discontented and rebellious, the very reverse would be the case. There would be no fear of insurrections, for there would be no inducement. But when a man, black though he be, knows that, at any moment, he is compelled to hand over his wife, his sister, or his daughter, to the loathsome embraces of the man whose chains he wears, how can it be expected that he will submit without the feelings of hatred and revenge taking possession of his heart?

I have no desire to pursue this subject farther, at present. I give it, as the *cause* of the discontent and rebellion among the Southern slaves, and also as the *cause* of the creation of that disgraceful law, which now stands like a great black blot on the code of Virginia, and under whose unjust application I have been made to suffer. The subject is one that will not be suffered to rest, for I know my Southern sisters well enough to believe that they will not much longer rest tamely under the influences of this damning curse. I have told them plainly of the *evil*—the *remedy* is in their own hands.

